STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held in the City of Albany on February 9, 2000

COMMISSIONERS PRESENT:

Maureen O. Helmer, Chairman
Thomas J. Dunleavy
James D. Bennett
Leonard A. Weiss

CASE 97-C-0139 - Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies.

ORDER ESTABLISHING ADDITIONAL
INTER-CARRIER SERVICE QUALITY GUIDELINES
AND GRANTING IN PART PETITIONS FOR
RECONSIDERATION AND CLARIFICATION

(Issued and Effective February 16, 2000)

BY THE COMMISSION:

This Order resolves certain issues in a proceeding we initiated on February 5, 1997. A collaborative process was employed whereby interested parties participated in working groups in an effort to resolve issues in a manner generally acceptable to all. The working group meetings were scheduled, conducted, and facilitated by Administrative Law Judge Jaclyn A. Brilling. Various sub-groups were also created to focus on specialized issues, such as statistics, facility forecasting, hot-cuts and replication. Other parties joined the Carrier Working Group as referred from other proceedings such as the collaboratives addressing Digital Subscriber Lines (DSL) and the Operations Support Systems (OSS) for Frontier Telephone of Rochester (FTR). These sub-groups met separately and reported their progress to the larger working group meetings.

Initially, we issued an order on March 16, 1998, adopting interim Carrier Guidelines, in lieu of formal Carrier-to-Carrier Standards, for a trial period of approximately one

NEW ISSUES

Digital Subscriber Line (DSL) Metrics and Performance Standards

Bell Atlantic-New York had proposed some further disaggregation of the provisioning and maintenance performance measures. CLECs concurred with these changes but sought some additional disaggregation. We concluded in our June 30, 1999 order that the CLEC proposals had been raised too late and could be pursued in future meetings of the Carrier Working Group. The Carrier Working Group subsequently discussed and agreed to further disaggregate the metrics in order to identify DSL performance.

Concurrently, in Case 00-C-0127, a separate working group, the DSL collaborative, has been developing operational procedures for the ordering and provisioning of unbundled network element loops capable of supporting DSL services offered by CLECs. The DSL collaborative has resolved a number of operational issues, including the steps involved in the ordering and provisioning of these loops, and the respective roles and responsibilities of CLECs and Bell Atlantic-New York for testing facilities and communicating the test results during the provisioning process.[1]

The members of the DSL collaborative have also participated in the Carrier Working Group meetings in order to develop appropriate metrics and performance standards specifically for the DSL products. The resulting DSL metrics and standards are described below. These refer only to Bell Atlantic-New York performance regarding the provision of new DSL capable loops; they do not refer to line-sharing. These metrics

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[1] Members raised issues and concerns with respect to Frontier Telephone of Rochester (FTR). FTR does not currently offer DSL products, but intends to shortly. FTR will participate in the DSL collaborative. Some DSL metrics are reflected in the newly developed FTR metrics and standards (Appendix 1), but additional metric discussion will be deferred pending issue referrals by the DSL collaborative to the Carrier Working Group.

and standards may be revisited by the Carrier Working Group as the DSL collaborative refers issues, and the industry gains more experience with the ordering, provisioning, and maintenance of DSL.

DSL Pre-Ordering: Prior to ordering a DSL-capable loop, a CLEC must be able to ascertain whether a particular loop has the characteristics needed to carry DSL traffic. The CLEC may obtain this information by querying a loop qualification database maintained by Bell Atlantic-New York. If this query indicates that the loop is not DSL-capable, the CLEC may query a manual database or submit an engineering record request to determine if the loop can be made DSL-capable. The timeliness of Bell Atlantic-New York's responses to these queries will be measured as follows:

PO-1-06	Average Response Time - Mechanized Loop Qualification: Standard is parity with retail plus not more than 4 seconds.[1]
PO-8-01	Average Response Time - Manual Loop Qualification: Standard is 95% completed within 48 hours.
PO-8-02	Average Response Time - Engineering Record Request: Standard is 95% completed within 72 hours.

Bell Atlantic-New York initially proposed to require that CLECs actually order DSL-capable loops to obtain manual loop qualification and engineering record information, rather than allow them to obtain this information through the pre-ordering process. This approach would have made it more cumbersome for CLECs to obtain the information and would have required them to cancel the order upon learning that a loop could not be made DSL-capable. As a result of discussions within the Carrier Working

[1] Bell Atlantic-New York will be developing a subsidiary to offer DSL products. The Carrier Working Group will ensure that this standard will be modified if necessary, upon development of the DSL subsidiary.

Group, Bell Atlantic-New York agreed to provide this information using a pre-ordering query or a service order, at the CLEC's option.

DSL Ordering: For the following submetrics of OR-1 Order Confirmation Timeliness and OR-2 Order Reject Timeliness, the Carrier Working Group agreed to disaggregate the UNE Complex category into 2-wire digital ISDN loops and 2-wire DSL-capable loops.

OR-1-03	Average LSRC Time < 10 Lines (No Flow-Through)
OR-1-04	% On Time LSRC < 10 Lines (No Flow-Through)
OR-1-05	Average LSRC Time >= 10 Lines (No Flow-Through)
OR-1-06	% On Time LSRC >= 10 Lines (No Flow-Through)
OR-2-03	Average LSR Reject Time < 10 Lines (No Flow-Through)
OR-2-04	% On Time LSR Reject < 10 Lines (No Flow-Through)
OR-2-05	Average LSR Reject Time >= 10 Lines (No Flow-Through)
OR-2-06	% On Time LSR Reject >= 10 Lines (No Flow-Through)

The performance standard for OR-1 and OR-2 is 95% on time according to the order confirmation and reject timeliness schedules specified in the Carrier Guidelines.

For OR-6 Order Accuracy, DSL orders are included in the samples drawn by Bell Atlantic-New York each month to provide this measurement.

DSL Provisioning: The DSL collaborative developed a cooperative testing program (Due Date minus 2) designed to improve the reliability and on-time completion of DSL loop orders. Some CLECs, however, do not participate in this testing. The CLECs consider DSL orders to be complete only when the CLEC is satisfied with the loop and provides a serial number to Bell

DECLARATION OF KAREN A. KINARD

ATTACHMENT 3

WORLDCOM

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September 15, 2000

By Hand

The Honorable Janet Hand Deixler
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223

Re: Case 99-C-0949 – Petition Filed By Bell Atlantic-New York for Approval of a Performance Assurance Plan and Change Control Assurance Plan in 97-C-0271

Dear Secretary Deixler:

I have enclosed for filing an original and ten (copies) *of WorldCom, Inc.'s Comments on Verizon New York's Performance Assurance Plan and Change Control Assurance Plan.*

Please call me if you have any questions concerning this filing.

Respectfully submitted,

Laura Gallo

Copies: Mr. Robert Mulig (in-hand)
Mr. Daniel M. Martin (in-hand)
All Active Parties (via email and U.S. Mail)

Before the

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition Filed By Bell Atlantic-New York for Approval of a Performance Assurance Plan and Change Control Assurance Plan in 97-C-0271	)))	Case 99-C-0949

WORLDCOM'S COMMENTS ON VERIZON NEW YORK'S PERFORMANCE ASSURANCE PLAN AND CHANGE CONTROL ASSURANCE PLAN

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Dated: September 15, 2000

Before the
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition Filed By Bell Atlantic-New York for Approval of a Performance Assurance Plan and Change Control Assurance Plan in 97-C-0271	))))	**Case 99-C-0949**

WORLDCOM, INC.'S COMMENTS ON
VERIZON NEW YORK'S PERFORMANCE ASSURANCE PLAN
AND CHANGE CONTROL ASSURANCE PLAN

The Verizon New York Amended Performance Assurance Plan ("PAP" or "the Plan"), which became effective on January 3, 2000 with the company's approved entry into the long-distance market, is subject to an annual review to determine whether any modifications or additions should be made to it. In furtherance of the annual review, the Commission issued a Notice Requesting Comments on August 28, 2000, inviting interested parties to propose modifications and/or additions to the Plan. WorldCom appreciates the opportunity to participate in this annual review process and hereby submits its comments on Verizon's PAP, as modified and refined by direction of the Commission in Cases 97-C-0271 and 99-C-0949.

I. INTRODUCTION

The PAP comprises performance measures and remedies designed to assure Verizon's provision of wholesale service to its competitors on a just and reasonable basis. In recognition of this objective, the Commission has stated that the Plan may be amended to close potential loopholes.[1] The PAP's annual review provision, moreover, implicitly acknowledges that, as CLECs

[1] Cases 97-C-0271 and 99-C-0949, Order Adopting the Amended Performance Assurance Plan and Amended Change

gain greater commercial experience in the local market, revisions and additions to the Plan may be necessary. It is in this spirit that WorldCom presents these comments and proposals.

WorldCom's experience with the PAP over the last nine months has separated the wheat from the chaff -- the Plan's strong elements from its much weaker components. Those strong elements, particularly the Special Provisions measures, the Change Control Assurance Plan ("CCAP") and the Plan's non-per-occurrence approach, should be retained and should not be eviscerated as a result of this annual review. By exacting costs for noncompliance with the Plan, the Special Measures provisions, CCAP and non-per-occurrence approach have contributed to helping ensure that local markets remain open to competition without backsliding. More specifically, the Special Provisions component of the PAP has enabled the Commission to focus remedies on Verizon's past performance weaknesses, such as flow through, hot cuts, UNE order confirmations and rejects, and, more recently, missing Electronic Data Interchange notices. Focusing remedies on these trouble areas has compelled Verizon to continue working to expand the types of orders that flow through its systems, adhere to better hot cut processes, ensure prompt handling of partially mechanized notices and prevent missing notifier problems from escalating again. Similarly, the CCAP has provided the necessary enforcement teeth to make certain that Verizon abides by the change management intervals for prior notice and documentation of changes to its operations support systems ("OSS"), and the Plan's non-per-occurrence approach, with its large per measure remedies, has given Verizon an added incentive to fix flaws, improve performance and refrain from backsliding. Perhaps most indicative of the effectiveness of these PAP components, however, is that Verizon has excluded some or all of them from its initial proposals in performance remedy

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Control Plan (issued November 3, 1999), p.32.

proceedings in other states.[2]

So that the PAP may be more effective and successful in achieving its objective, not only should those elements which have proven most effective be retained, but those components of the Plan that have demonstrated weakness should be revised. Of particular concern are the cumulative scoring aspect of the Mode of Entry (which allows areas of severe and chronic discrimination to go unchecked if not enough metrics overall are missed), the lack of a separate xDSL category in Mode of Entry in a competitive marketplace where the demand for advanced services continues to increase, the Plan's failure to include enough metrics to provide an accurate picture of Verizon's performance and Verizon's failure to implement metrics ordered by the Commission. To correct these problems, WorldCom proposes the following changes:

- Adopt a similar approach to the Individual Rule for Critical Measures for those Mode of Entry measures not also covered in the Critical Measures or Special Provisions groups.
- Elimination of the minimum –X scoring for the interconnection Mode of Entry.
- Create a separate xDSL category in Mode of Entry.
- Include additional metrics in the Mode of Entry, Critical Measures and Special Provisions components to provide more accurate pictures of Verizon's performance with respect to trunking and hot cuts.
- Establish a maximum four-month implementation period for metrics ordered by the Commission and self-executing remedies for failure to implement metrics within that period.

[2] For example, in Massachusetts, Verizon proposed a version of the New York PAP that lacked its most effective elements, *viz.*, the CCAP, Special Measures for EDI missing notifiers and the –0.8225 repeated tier for statistical evaluation, whereas Verizon's New Jersey proposal excluded these components, all of the PAP's Special Measures and the Doubling of the Mode of Entry remedies above a certain midpoint score. In both New Jersey (a second proposal) and Virginia, moreover, Verizon proposed per-occurrence plans in which remedies are paid according to the number of data points by which the metric was missed. In a nascent competitive market, this approach keeps remedies low, providing Verizon with little incentive to fix problems and improve performance in a way that allows and ensures meaningful market entry by its competitors.

II. PERFORMANCE ASSURANCE PLAN

A. The Plan's Mode of Entry Scheme Improperly Aggregates Performance and Should Be Adjusted To Include Additional Measures

WorldCom continues to believe that the cumulative scoring of all metrics does not focus remedies on problem areas. Consistent with WorldCom's earlier comments in this proceeding, the Mode of Entry track improperly aggregates performance results in a way that allows Verizon to discriminate in certain areas and still meet the overall score assigned to each of the four modes of entry.[3] The only way to ensure that Verizon is providing its competitors with the appropriate level of service is to assess Verizon's performance measure by measure. Aggregation dilutes the significance of each measurement and allows discrimination to go unchecked. The attached chart (Exhibit A) by WorldCom consultant Dr. John D. Jackson[4] of Auburn University indicates that a number of measures can fail in a Mode of Entry category without having a remedy attach. For example, for the UNE Mode of Entry, three submeasures -- each weighed at 15 and with performance scores of –2 -- can fail without remedies attaching. To help close this loophole in the Plan, WorldCom recommends that, at the very least, the Commission take an approach similar to the Individual Rule for Critical Measures and apply it to those measures in the Mode of Entry category that are not also included in the Critical or Special Measures groups. Specifically, when the minimum -X threshold is not exceeded within a Mode of Entry group, if any metric is missed for two months in a row or if the retail and wholesale means differ by more than 10%, then remedies

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[3] Case 97-C-0271, "MCI WorldCom's Preliminary Comments on Bell Atlantic-New York's Performance Assurance Plan" (dated April , 1999); Case Nos. 97-C-0271 and 99-C-0949, "Comments of MCI WorldCom, Inc. on the Notice of Proposed Rulemaking, The Amended Performance Assurance Plan, and the Amended Change Control Assurance Plan For Bell Atlantic-New York" (dated October 4, 1999).

[4] A Joint Affidavit of George S. Ford and John D. Jackson explaining the serious flaws inherent in aggregating performance results in Mode of Entry and in using minimum -X scoring was filed earlier in this proceeding as Attachment B to WorldCom's October 4, 1999 Comments, <u>see supra</u> n.4.

like those paid under the Individual Rule for Critical Measures would be triggered.

Problem areas persist, moreover, because the PAP does not incorporate enough metrics to provide an accurate picture of Verizon's performance. For example, the Mode of Entry category does not include enough metrics to measure Verizon's performance with respect to trunking. Interconnection trunking is a critical component of WorldCom's ability to provide local service to business customers via its own network, and WorldCom largely depends on Verizon for timely performance in doing so. Therefore, WorldCom proposes that the following two metrics be added to the Mode of Entry category:

1. <u>% On Time Response – Request for Inbound Augment Trunks</u> (OR-1-19)

This metric was added to the Carrier-to-Carrier Guidelines after the adoption of the PAP to address problems CLECs were having receiving prompt responses to trunk resizing requests. Verizon delays in providing reciprocal trunks (inbound to CLEC trunks) -- beginning with Verizon's long delays in responding to requests or providing CLECs due dates for such trunks -- force CLECs to delay installing new customers on their networks. Failure to receive prompt responses not only delays WorldCom's ability to provide its customers with adequate capacity for in bound calling, but also jeopardizes its ability to retain customers. Customers frustrated with delays in the processing and provisioning of their orders may cancel those orders. As poor performance in this area has a significant impact on CLECs' business and ability to compete, Verizon should be given a financial incentive to ensure that it promptly responds to CLECs' requests.

2. <u>Average Delay Days – Trunks</u> (PR-4-02)

WorldCom's ability to win and retain customers is impaired if it cannot meet due dates with the same regularity as Verizon. When orders are not completed on time, customers blame their service provider, and the harm to a carrier's reputation is made worse by the length of time the customer must wait beyond the expected due date. Further, the longer the delays, the greater the opportunity for customers to become frustrated and cancel their orders.

As opposed to the Missed Appointments metric for trunks, which is currently in the PAP and addresses the number of due dates missed, the Average Delay Days submetric reflects the magnitude of the miss by measuring the average number of days between the committed due date and the actual work completion date. While the number of orders delayed may be at parity, the Average Delay Days submetric detects if the orders for CLEC customers are delayed longer than those for Verizon's retail customers. Longer delay day intervals for CLEC customers than for Verizon customers can indicate discrimination in terms of the provisioning of orders. Therefore, the inclusion of the Average Delay Days submetric for trunks in the Mode of Entry category is necessary to show whether Verizon is providing just and reasonable service to its competitors and to provide Verizon with an incentive to do so.

B. Minimum –X Scoring Should Be Eliminated for Interconnection

As discussed in its earlier comments on the PAP, WorldCom opposes the minimum –X scoring system because it is inherently arbitrary and improperly permits Verizon to provide below-parity and substandard service without sanction. WorldCom's comments, originally filed October 4, 1999, are incorporated by reference, and the relevant portion is attached hereto as Exhibit B.[5] At a minimum, however, if the Commission does not eliminate the minimum –X scoring in its entirety, WorldCom submits that minimum –X should be eliminated for trunking metrics. Each of the trunking metrics in the Mode of Entry category is of critical importance to competitors, and the minimum –X scoring severely diminishes the chance that poor performance will be detected. The chart attached here as Exhibit A, developed by Dr. John D. Jackson, indicates that, using the minimum –X scoring, Verizon can avoid remedies even though it fails to meet a number of metrics. For example, Verizon can fail two trunking submetrics, one weighed at 15 and the other weighed at 10 and both having performance scores of –2, without incurring penalties. This means that Verizon can repeatedly fail to meet the performance standards for those metrics and escape remedies because they may have been the only metrics missed during a particular month. Having escaped thus remedies, Verizon has no incentive to improve its performance in those problem areas. Since all of the trunking measures play an integral role in CLECs' plans to launch facilities-based services and to keep capacity commensurate with customer requirements, Verizon's failure to meet any of the metrics stifles facilities-based competition and negatively impacts consumers. So that Verizon has the incentive to improve its poor performance, minimum –X scoring for interconnection should be eliminated from the Plan.

C. The Plan Should Include a Separate xDSL Category in Mode of Entry

Previously in this proceeding, in commenting on Verizon's proposal to add various xDSL metrics to the critical measures, WorldCom and AT&T urged the Commission to take a more comprehensive approach to xDSL in the PAP to ensure competition for advanced services.[6] To this end, WorldCom and AT&T recommended the creation of a Mode of Entry category for xDSL

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[5] See supra n.3.

[6] Cases Nos. 97-C-0271 and 99-C-0949, "Comments of AT&T Communications of New York, Inc. and MCI WorldCom, Inc. on Bell Atlantic-New York's Proposed Revisions to the Amended Performance Assurance Plan" (dated January 31, 2000).

measures. In its March 9, 2000 order amending the PAP, the Commission accepted the xDSL metrics offered by Verizon for inclusion in the Plan, but determined that a separate xDSL category for Mode of Entry was not appropriate at that time.[7] However, the Commission added that establishing a new Mode of Entry category may be considered when xDSL issues are more fully developed.[8]

Now that xDSL activity has increased and fully disaggregated xDSL and line sharing metrics are forthcoming, WorldCom submits that the time has come to incorporate a separate xDSL category in Mode of Entry.[9] The demand for xDSL services continues to grow exponentially as access to the Internet and use of e-mail become more prevalent and critical to how people obtain information and communicate every day. At the time it sought Section 271 authority, Verizon made commitments to improve its xDSL performance, and CLECs' meaningful, sustained entry into the market depends on Verizon meeting those commitments. To help ensure that Verizon meets those commitments and competition for advanced services develops in New York, very real and palpable financial consequences must be attached to any failure by Verizon to achieve the appropriate level of xDSL performance. WorldCom still believes that this can be done most effectively and efficiently by creating a separate Mode of Entry for xDSL, with its own metric weightings, Critical Measures and bill credits, and submits that this annual review of the PAP is an appropriate forum in which to do so.

The Mode of Entry component is designed to measure Verizon's performance with regard

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[7] Cases 97-C-0271 and 99-C-0949, Order Amending Performance Assurance Plan (issued March 9, 2000), pp.4-5.
[8] Id. at 5.
[9] Verizon should also disaggregate 4-wire xDSL service and include those in the Plan once more than 25 orders are placed monthly.

to the different ways a competitor can enter the local exchange market. As WorldCom and AT&T explained in their joint comments proposing a separate xDSL Mode of Entry, treating xDSL as its own Mode of Entry makes sense because xDSL service, a means of delivering data, differs significantly from analog voice service, the primary, present focus of the PAP. In addition, a separate xDSL Mode of Entry provides another means of ensuring that the performance metrics and level of xDSL performance advocated by the Federal Communications Commission in its order approving Verizon's Section 271 application for in-region, interLATA relief are implemented and enforced. Similarly, a separate xDSL Mode of Entry will enable this Commission to ensure that Verizon supports the full suite of xDSL services that are and will become available.

Perhaps nothing is more demonstrative of the need for a separate xDSL Mode of Entry, Critical Measures and bill credits than Verizon's consistently poor performance with respect to xDSL. Presently, the PAP includes a select few metrics measuring Verizon's xDSL-related performance: (1) PO-8 Manual Loop Qualification, which includes two submetrics measuring manual loop qualification and engineering record request response times; (2) PR-4 % Missed Appointments, including five submetrics; and (3) PR-6 % Installation Troubles, which measures the percentage of installation troubles on xDSL capable loops within 30 days. This paucity of xDSL metrics in the Plan is made more profound by the fact that Verizon has yet to report on the two submetrics under Manual Loop Qualification, though ordered by the Commission to do so commencing with January 2000 performance. Because of the insufficient number of xDSL metrics in the Plan, Verizon's very poor performance has not only gone unchecked, but has been without penalty. The magnitude of Verizon's substandard xDSL performance, moreover, is reflected in the Carrier to Carrier Performance Standards and Reports, which breakdown for each metric Verizon's actual performance for its retail customers and its wholesale customers (CLEC aggregate). A review of the most recent three months' data reveals that Verizon has consistently failed to meet performance standards -- at levels well below parity in many cases -- for a substantial number of metrics for 2-Wire xDSL Services. As set forth in the tables below, those missed metrics include, for example, PR-5-01 % Missed Appointments (Verizon – Facilities), MR-4-01 Mean Time to Repair (Total) and MR-4-08 % Out of Services > 24 Hours.

PR-5-01 % Missed Appointments (Verizon – Facilities)
Standard: Parity with Verizon Retail

Actual Performance

	Verizon	CLEC Aggregate	Z-Score
May	.35	1.64	-13.11
June	.36	1.95	-14.77
July	.35	3.13	-12.84

MR-4-01 Mean Time to Repair (Total)
Standard: Parity with Verizon Retail

Actual Performance

	Verizon	CLEC Aggregate	Z-Score
May	24.80	73.02	-59.76
June	25.18	75.28	-62.58
July	23.35	62.05	-53.61

MR-4-08 % Out of Service > 24 Hours
Standard: Parity with Verizon Retail

Actual Performance

	Verizon	CLEC Aggregate	Z-Score
May	28.09	70.45	-25.72
June	27.65	67.52	-24.87
July	26.15	66.67	-28.12

Clearly, without financial ramifications for failure to meet performance standards, Verizon does not have any incentive to bring its xDSL performance to appropriate levels. As that incentive, Verizon should risk additional bill credits for failure to meet the performance standards. However, it is equally important that any dollars placed at risk for an xDSL mode of entry category be *in addition to the existing dollars at risk in the PAP*. Otherwise, if the total amount at risk under the Plan remains constant, increasing the amount at risk for xDSL performance would necessarily decrease the amount at risk for traditional analog voice service. This would severely diminish Verizon's incentive to provide voice services or voice related UNEs at appropriate levels. In fact, the result of reallocating dollars at risk instead of adding new dollars for the new DSL metrics could easily be that in both instances -- for voice and data services -- the amount of bill credits at risk will be far too low to motivate Verizon to ensure that its delivery of services and unbundled network elements will promote competition. Such action would be counter to the goals of the PAP and this Commission.

C. The Plan Should Include An Additional Critical Measure: Average Interval Completed – Trunks (PR-2-09)

If Verizon provisions its retail or affiliate orders in a shorter time period than CLEC orders, CLECS will be at an extreme competitive disadvantage. The Average Interval Completed metric enables a CLEC to determine whether it is receiving parity of service. The currently included Missed Appointments (PR-4) metric does not provide the entire picture of whether disparity exists. While Verizon might have the same number of missed appointments for itself as for CLECs, Verizon might complete missed appointments orders faster for retail than for wholesale customers. That disparity presently goes unchecked by the Critical Measures and provides Verizon with no incentive to improve its performance.

D. The Special Provisions Area for Hot Cuts Should Include the Metric for Trouble Durations

Presently, the Special Provisions area for hot cuts does not include a metric that measures Verizon's repair time for service interruptions (the inability to place outgoing or receive incoming calls). This gap in the PAP needs to be filled. Service interruptions cause customer frustration, and the length of time it takes to restore service profoundly affects the level of confidence a customer has in its carrier and the quality of service that carrier provides. If WorldCom customers have to suffer longer service loss or degraded service periods than do Verizon customers, then WorldCom is placed at a competitive disadvantage. The Trouble Durations metric enables CLECs to make parity comparisons and facilitates the detection of discriminatory behavior in Verizon's provision of service to its retail customers and those of CLECs. Therefore, inclusion of this metric in the PAP is imperative to provide a more complete, accurate picture of Verizon's performance in the area of hot cuts.

E. The Plan Should Include a Remedy for Failure to Implement Metrics

The purpose of the PAP presents a conundrum – while intended to provide Verizon with an incentive to meet certain performance levels, Verizon has a disincentive to implement the metrics by which its performance is measured. To exacerbate matters, the PAP offers no assurance that Verizon will implement metrics when ordered to do so by the Commission. In fact, Verizon's track record indicates that the company has yet to report on several metrics that the Commission ordered months, even years, ago. Those metrics include the following:

- PO-8-01: Manual Loop Qualification

- PO-8:02: Manual Engineering Record
- PR-7-01: EEL Jeopardy Reports (and other EEL metrics)
- PO-7: Software Problem Resolution

The Commission has adequate enforcement authority to exact compliance with its orders. Nevertheless, as a means of assuring swift metric implementation, WorldCom proposes that the PAP be modified to establish a maximum four-month implementation period for metrics ordered by the Commission and self-executing remedies for failure to implement metrics within that period. The Commission, of course, would be able to order earlier, even retroactive, implementation of reporting, but the above requirement would stand unless the Commission directed otherwise.

III. CHANGE CONTROL ASSURANCE PLAN

The CCAP contains measures to assess Verizon-NY's performance in implementing changes to its OSS. The CCAP provides for a test deck of orders designed to emulate actual CLEC ordering experience. The test deck is weighted; however, because the weights for the test deck were set a long time ago, there is no assurance that they accurately correspond to the most important ordering activities in the New York market. Areas of particular concern and importance to CLECs may be failing test deck, but because of the weight currently accorded to them, inadequate or no remedies are paid. Therefore, WorldCom proposes that the Commission direct the Change Control Work Group to review the weighting of the test deck for the Software Validation metric in light of current market activity. The Commission should likewise direct the Carrier Working Group to review the weighting of all metrics in the Mode of Entry component to determine whether they, too, should be modified to reflect current market experiences.

IV. WHOLESALE QUALITY ASSURANCE PLAN

The Commission adopted the Wholesale Quality Assurance Plan to ensure the quality of Verizon's metric reporting. Since adoption of the WQAP, the accuracy of Verizon's metric reporting has become an issue in ongoing KPMG testing in other states. In light of these revelations, WorldCom requests review of the implementation of the WQAP and its effectiveness.

V. CONCLUSION

For the reasons stated hererin, WorldCom requests that Verizon New York and Commission Staff implement its proposed modifications to the Plan.

Respectfully submitted,

WORLDCOM, INC.

By: Laura Gallo

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200 Park Avenue
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(212) 519-4378

Its Attorney

Dated: September 15, 2000

Exhibit A: Chart prepared by Dr. John D. Jackson entitled "Poor Performance on Important SQMs That Will Result in No Penalty Payments Under the Bell Atlantic Plan."

Exhibit B: Comments of MCI WorldCom, Inc. on the Notice of Proposed Rulemaking, The Amended Performance Assurance Plan, and the Amended Change Control Assurance Plan For Bell Atlantic-New York (dated October 4, 1999), pp. 14-18.

EXHIBIT A

Poor Performance on Important SQMs That
Will Result in No Penalty Payments
Under the Bell Atlantic Plan

To determine how many submeasures could be missed without a penalty being levied, we follow a three step process:

(1) Find the sum of the weights for the given MOE.
(2) Multiply the sum of the weights by the minimum –X value for that MOE to get the total weighted performance score that will make a penalty marginal.
(3) Back out the number of submeasures of a given weight (e.g., 20) that could fail badly (e.g., have a performance score of –2) before a penalty is due (i.e., before Min –X is exceeded)

The table below gives the appropriate values:

MOE	Sum of Wts	Min -X	Marginal Score
Resale	494	-.191	-94.4
UNE	609	-.190	-115.7
Trunks	180	-.301	-54.2

The important information in the table is in the third column, Marginal Score. For a given MOE, any combination of misses with a total weighted score less (in absolute value) than the corresponding entry in the third column would not draw a MOE penalty[1] Some examples are given below.

I. RESALE:

Example 1 : miss 2 submeasures, each weighted 20, with performance scores of –2 + miss one submeasure, weighted 5, with a performance score of –2

To illustrate:

Missed Submeasure	Wt.	Score	Wt x Score
% missed repair appts – loop	20	-2	-40
% on time LSRC flow thru – POTS	20	-2	-40
% missed repair appts – central office	5	-2	-10
TOTAL			-90

Since -90 is less than -94.4 in absolute value, no MOE penalty would be due in this case. Put another way, -90/494 = -.182 which is greater than -.191 (MIN –X), so no MOE penalty is due. Indeed, since none of these are critical measures, no penalty at all is due.

[1] The examples below could be consecutive failures for two or more months and not garner a remedy if they are the only metrics failing in Mode of Entry scoring. Under the BA plans the –2 scores could represent both minor and severe misses. In fact, performance failures with a higher confidence level of disparity than 95% could drop out of the plan.

Example 2: miss three submeasures, each weighted 15, with performance scores of -2

To illustrate:

Missed Submeasure	Wt.	Score	Wt x Score
% OT LSR reject <10 lines (elec. No flow thru) – POTS	15	-2	-30
% OT LSR reject <10 lines (elec. No flow thru) – Special	15	-2	-30
% installation trouble within 30 days - POTS	15	-2	-30
TOTAL			-90

Again, an aggregate performance score of –90 would elicit no MOE penalty since it is less in absolute value than –94.4, and again, no penalty of any sort would be in order since these measures are not on critical measures list.

Many other combinations are possible. For example, BA could miss four submeasures, each weighted 10, and one submeasure weighted 5, all with –2 performance scores for an aggregate MOE score of 90.

II. UNEs:

Example 1: miss two submeasures, each weighted 20, and one submeasure weighted 15, all with performance scores of –2.

To illustrate:

Missed Submeasure	Wt.	Score	Wt x Score
% missed appointments- BA no dispatch-platforms	20	-2	-40
% OSS Interface Availability--Prime	20	-2	-40
Customer Service Record Response	15	-2	-30
TOTAL			-110

Since –110 is less than –115.7 in absolute value (or alternatively, since –110/609 = .181 is greater than min –x = -.19) no MOE penalty is due. However, in this case, all three measures are critical measures, so some penalty will be paid. How much a particular CLEC might receive depends on the number of CLECs in the market and whether the maximum remedies are triggered.